

ORIGINAL

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KEVIN P. WEIMER, Clerk
By: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

UNITED STATES OF AMERICA

v.

PATRICK JOHN AGNEW

Criminal Indictment

No. 2:23 CR 018

THE GRAND JURY CHARGES THAT:

Count One

Production and Attempted Production of Child Pornography

Beginning on a date unknown, but at least by in or about July 2017, and continuing through in or about July 2018, in the Northern District of Georgia, the defendant, PATRICK JOHN AGNEW, did knowingly employ, use, persuade, induce, entice, and coerce, and attempt to knowingly employ, use, persuade, induce, entice, and coerce "P.P.," a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know, that said visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce, including by computer and cellular telephone, and said visual depiction having been produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer and cellular telephone, and said depiction was transported and transmitted using any means and facility of interstate commerce, including by

computer and cellular telephone, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

Count Two

Distribution of Child Pornography

Beginning on or about April 1, 2022, and continuing through April 3, 2022, in the Northern District of Georgia, the defendant, PATRICK JOHN AGNEW, did knowingly distribute at least one visual depiction of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), using any means and facility of interstate and foreign commerce, said depiction having been (a) produced using at least one minor engaging in sexually explicit conduct, and (b) shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer and cellular telephone, all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

Count Three

Possession of Child Pornography

On or about January 11, 2023, in the Northern District of Georgia, the defendant, PATRICK JOHN AGNEW, did knowingly possess at least one computer and computer storage device, including a cellular telephone, which contained at least one visual depiction of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), said depiction (a) having been produced using at least one minor engaging in sexually explicit conduct, (b) involving at least one prepubescent minor and at

least one minor who had not attained 12 years of age, and (c) having been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer and cellular telephone, all in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

Forfeiture

Pursuant to Title 18, United States Code, Section 2253, upon conviction of any offenses charged in this Indictment, the defendant, PATRICK JOHN AGNEW, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

If any of the property described above, as a result of any act or omission of the defendant, PATRICK JOHN AGNEW:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

A *True* BILL
Michael Thompson
FOREPERSON

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